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November 1, 2018

VIA E-FILING & HAND DELIVERY

Honorable Richard G. Andrews
United States District Court
for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street, Room 6325
Wilmington, Delaware 19801

Re: *Wilmington Trust Company v. Tribune Media Company, et al.*
Case No. 15-cv-01116

Dear Judge Andrews:

We represent appellee Tribune Media Company in the above-noted bankruptcy appeal, which is scheduled for oral argument on November 16, 2018. Pursuant to Rule 8014(f) of the Federal Rules of Bankruptcy Procedure, we notify the Court of relevant supplemental authority published during or after briefing in this matter.

The primary issue on appeal is whether a subordinated unsecured creditor, like appellant Wilmington Trust Company, may be allowed a claim for attorneys' fees incurred after the date of the bankruptcy petition. The parties' briefs detail substantial disagreement in the caselaw on the point. The supplemental authority identified below continues that disagreement.

Opinions Holding That An Unsecured Or Undersecured Claim For Postpetition Attorneys' Fees *Cannot* Be Allowed

1. *Summitbridge Nat'l Invs. III, LLC v. Faison*, No. 5:17-CV-384-BO, 2017 WL 5714111, *2-*4 (E.D.N.C. Nov. 27, 2017) (affirming disallowance of unsecured claim for postpetition fees).
2. *In re Faison*, 574 B.R. 63, 67-72 (Bankr. E.D.N.C. 2017) (disallowing unsecured claim for postpetition fees) (affirmed by *Summitbridge*, above).
3. *In re B456 Sys., Inc.*, No. 12-12859, 2017 WL 6603817, *26 (Bankr. D. Del. Dec. 22, 2017) (disallowing unsecured claim for postpetition fees).

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4. *In re Woodhaven Townhouse Ass'n, Inc.*, 570 B.R. 546, 556 n.11 (Bankr. N.D. Tex. 2017) (disallowing unsecured claim for postpetition fees).

5. *In re Augé*, 559 B.R. 223, 229 (Bankr. D.N.M. 2016) (unsecured claim for postpetition fees would have been disallowed had the matter not been settled).

6. *In re Milbourne*, 557 B.R. 376, 396-402 (Bankr. E.D. Pa. 2016) (limiting claim of oversecured creditor for postpetition fees to extent of excess collateral value).

**Opinions Holding That An Unsecured Or Undersecured Claim
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1. *In re Hartley*, No. BK15-81898, 2018 WL 4509368, *3 (Bankr. D. Neb. Aug. 20, 2018) (allowing unsecured claim for postpetition fees).

2. *In re Pioneer Carriers, LLC*, 581 B.R. 809, 816-21 (Bankr. S.D. Tex. 2018) (allowing undersecured claim for postpetition fees).

Copies of these opinions are appended to this letter. We will be prepared to address them at oral argument. Thank you.

Respectfully submitted,

/s/ *James O. Johnston*

James O. Johnston

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